



County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE

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DAVID E. JANSSEN
Chief Administrative Officer

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January 18, 2005

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**AMENDMENT TO CONTRACTS WITH PRIVATE BAR PANELS FOR JUVENILE
DELINQUENCY DEFENSE SERVICES AT NINE JUVENILE COURTS
(ALL DISTRICTS AFFECTED) (3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve amendments to existing contracts between the County of Los Angeles and nine private bar panels to provide a rate increase of 10 percent to the per case compensation for legal representation in juvenile delinquency court.
2. Delegate authority to the CAO to sign the nine contract amendments.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the contract amendments is to provide an increase in the compensation per case paid to contract attorneys for additional services they are now required to provide in the representation of a minor in juvenile delinquency court proceedings based upon aggregate increases in the Consumer Price Index (CPI) for the Los Angeles Metropolitan area, from the June 2001 execution date of the contract to the present, adjusted to reflect the increase given to County employees.

Implementation of Strategic Plan Goals

This public/private partnership between the County of Los Angeles and nine private bar panels supports Strategic Plan Goal No. 1, Service Excellence, by providing quality public service and Goal No. 3, Organizational Effectiveness, by enhancing organizational effectiveness across jurisdictional boundaries.

FISCAL IMPACT/FINANCING

Currently, contract attorneys are paid on a per case basis, ranging from \$282 to \$305 depending on the court district. For contract period November 2003 through October 2004, the panel attorneys billed the County \$3.6 million for providing legal representation to approximately 12,400 juveniles. The proposed 10 percent increase, based on the CPI aggregate growth since the June 2001 execution date of the contract and Board approved increases in County employee compensation over the same period, is estimated to cost an additional \$360,000 annually. Funding to cover these costs is available in the Trial Court Indigent Defense Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Under the Lockyer-Isenberg Trial Court Funding Act of 1997, the County of Los Angeles is responsible for criminal indigent defense costs. Services provided by panel attorneys must include all legal defense services provided by the Office of the Public Defender as mandated by state constitution.

In July 2004, the attorneys requested a rate increase, stating that the passage of Rule of Court 1479 in July 2004, has affected the level of service they are required to provide and changes in court judicial procedures have contributed to workload increases. At our request, the Auditor-Controller reviewed their claim and concluded that the panel attorneys' workload is more time consuming and that a rate increase appears appropriate.

Prior to Rule 1479, the attorney's role was limited to defending the child in court. Under Rule 1479, the attorney has a dual role: 1) to defend the child against the charged allegations and, 2) to serve as the child's advocate, ensuring the child receives care, treatment, and guidance consistent with his or her best interest.

Furthermore, effective April 2004, new procedures in delinquency courts require the attorney to appear in court for the filing of each camp progress report submitted by the probation officer. Based on the term of the camp commitment, three, six or nine months, attorneys may attend two to three additional court appearances for youth committed to camps. As a result of these changes, attorneys are also required to spend additional time in terms of paperwork, meetings, and preparation time for court appearances.

Based on the Auditor-Controller's review, it appears that for at least 30 percent of the panel attorney cases, the workload has increased as a result of the new procedures. However, since the passage of Rule 1479 is so recent, our office cannot quantify the workload increase. Because of this, the proposed per case compensation increase of 10 percent will be based solely on the CPI, adjusted to reflect the lesser of CPI or County employee compensation increase. This office will return to your Board as appropriate when sufficient historical information is available.

County Salary Increase		Consumer Price Index (CPI)	
2000	2.0%	2000	3.3%
2001	3.0%	2001	3.3%
2002	2.0%	2002	2.8%
2003	0.0%	2003	2.6%
2004	2.5%	2004*	2.6%

Aggregate Increase:	10%		15%
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*First half of 2004

CONTRACTING PROCESS

The requested action amends the current contract.

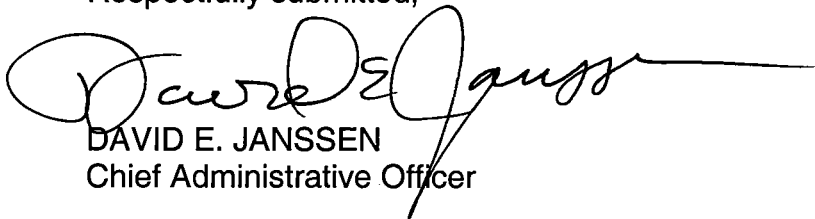
IMPACT ON CURRENT SERVICES (OR PROJECTS)

The recommended increase of 10 percent will allow panel attorneys to continue to maintain the current level of service provided for representation of juvenile defendants.

CONCLUSION

The Chief Administrative Officer recommends approval of the proposed 10 percent increase, based on the CPI aggregate growth over the past four years, adjusted to reflect the increase given to County employees.

Respectfully submitted,



DAVID E. JANSSEN
Chief Administrative Officer

DEJ:DL:ES

ML:yf

- c: Executive Officer, Board of Supervisors
- County Counsel
- Farwell and Associates
- Govea and Associates
- Inglewood Juvenile Defense Association
- Juvenile Delinquency Defense Association
- Long Beach Juvenile Defenders
- Los Padrinios Juvenile Defense Association
- Pomona Juvenile Defenders
- Ramos and Associates
- South Central Indigent Defense Juvenile Panel